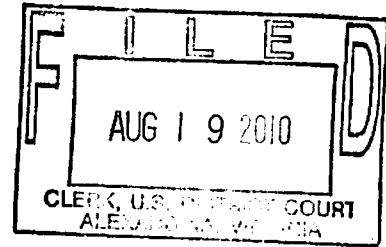


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)

v.)

COURTNEY TIKO BYRD)

CRIMINAL NO. 1:10-MJ-570

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, Charles Edward Bane, being duly sworn, depose and state as follows:

1. I have been employed as a police officer with the Arlington County Police Department in Arlington County, Virginia, for over twenty years. I have been assigned to the Vice/Narcotics Unit for a total of eleven years as a narcotics detective. I was recently assigned to the Drug Enforcement Administration (DEA) High Intensity Drug Trafficking Task Force as a task force officer since October 2009. I had previously been assigned as a task force officer from 1998 thru 2000. I have now been reassigned again as a task force officer since October 2009. I am federally deputized with DEA.

2. I have experience in the investigation of violations of federal and state narcotic laws. I have conducted and participated in numerous narcotic investigations resulting in the arrest and conviction of drug distributors, and seizure of quantities of controlled substances. I have received extensive training in drug identification, drug distribution methods, and drug enforcement techniques from the Northern Virginia Criminal Justice Academy and the Virginia Department of Criminal Justice Services, as well as seminars conducted by the Drug Enforcement Administration and other federal and state agencies. As a result, I am familiar with

the use, effects, distribution techniques, appearance, and method of manufacture of controlled substances, including cocaine. I have been certified as an expert in the field of narcotics in the Arlington County Circuit Court on at least five occasions.

3. This affidavit is being submitted in support of a criminal complaint and arrest warrant charging COURTNEY TIKO BYRD with conspiracy to distribute 100 or more kilograms of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846. As more fully described below, law enforcement has seized approximately 101 pounds of marijuana associated with BYRD's marijuana trafficking operation. In addition, law enforcement has seized approximately 1,567 marijuana plants associated with BYRD's marijuana trafficking operation. I know that 10 marijuana plants yields one kilogram of marijuana. *See U.S.S.G. s. 2D1.1(E)*. Therefore, exclusive of any historical information, mailing records or financial records, I believe that BYRD has conspired to distribute more than 100 kilograms of marijuana since in or about January 2009.

4. This affidavit contains information necessary to support probable cause. It is not intended to include each and every fact and matter observed by or known to the United States. The facts and information contained in this affidavit are based upon my personal knowledge, information obtained from state and federal law enforcement officers, and information provided by cooperating witnesses.

5. All observations referenced in this affidavit that were not made by me were related to me by the person who made such observation. All subjects named in this affidavit have been fully identified by either law enforcement officers or cooperating witnesses.

6. Law enforcement officers utilized cooperating witnesses throughout this investigation. For the purpose of this affidavit, all cooperating witnesses will be referred to in

the masculine gender. Each cooperating witness has provided information against his own penal interest; said information has been independently corroborated by law enforcement, and is considered reliable.

HISTORICAL INFORMATION

7. In or about 2009, law enforcement officers obtained information that COURTNEY TIKO BYRD (BYRD) was cultivating (manufacturing) and subsequently distributing marijuana to individuals who were further distributing it in the Eastern District of Virginia and elsewhere.

8. In 2009, a Confidential Witness, who will be referred to as CW-1, stated that BYRD was cultivating marijuana in California and shipping it to various customers in Northern Virginia. CW-1 stated that BYRD had previously lived in Virginia prior to relocating to California. CW-1 stated that subjects were utilizing Federal Express (FedEx), United Parcel Service (UPS), and the United States Postal Service (USPS) to send both money and cashiers checks to BYRD, and in exchange they were receiving packages containing multiple pounds of marijuana. CW-1 had previously provided information to me that was corroborated by independent investigation and additional witnesses. I have no reason to doubt the veracity of the information provided by CW-1.

LAW ENFORCEMENT SEIZURE ON FEBRUARY 5, 2009

9. On or about February 5, 2009, in Solvang, California, law enforcement officers executed search warrants at 645 C.H.R. (full address abbreviated, hereinafter "FAA") and 725 K.A. (FAA), in Solvang, California. Both of these locations have been identified as being utilized by BYRD. During the search of 645 C.H.R. (FAA), Solvang, California, law enforcement officers found a large quantity of equipment utilized to cultivate marijuana

including “grow lights”, irrigation systems, and other paraphernalia, along with \$18,000 in United States Currency. A total of approximately 986 suspected marijuana plants were seized along with approximately 78 pounds of suspected processed marijuana. A preliminary field test was conducted receiving a positive result for marijuana. During the search of 725 K.A. (FAA), Solvang, California, law enforcement seized an additional 483 marijuana plants.

BANK OF AMERICA RECORDS

10. Law enforcement officers obtained banking records pertaining to an account opened by BYRD which showed various cash deposits between March 30, 2009 through November 24, 2009 in amounts between \$1,000 through \$5,000 at banks in Virginia, Florida, and California.

LAW ENFORCEMENT SEIZURE ON APRIL 7, 2010

11. On or about April 7, 2010, law enforcement officers intercepted a suspicious FedEx package addressed to A.L. (full name abbreviated, hereinafter “FNA”), 237 B.P. (full address abbreviated, hereinafter “FAA”), Lompoc, California from M.R (FNA), 8127 W.C. (FAA), Springfield, Virginia. As further described in paragraphs 14 and 15 below, B.P. (FAA) is the admitted address of the defendant and W.C. is the admitted address of a marijuana trafficking associate of the defendant. On April 8, 2010, following a positive indication by a law enforcement K-9 trained in the detection of illegal narcotics, a search warrant was obtained and executed on the package resulting in the seizure of \$13,000 in United States Currency.

LAW ENFORCEMENT SEIZURE ON MAY 24, 2010

12. On or about May 24, 2010, law enforcement officers intercepted a USPS package addressed to J.S. (FNA), 519 S.L. (FAA) Street, Arlington, Virginia from R&D Designs, 1412 Laspatin Avenue, Santa Barbara, California. On May 24, 2010, following a positive indication

by a law enforcement K-9 trained in the detection of illegal narcotics, a search warrant was obtained and executed on the package resulting in the seizure of approximately five (5) pounds of suspected marijuana. A preliminary field test was conducted receiving a positive result for marijuana.

LAW ENFORCEMENT SEIZURE AND STATEMENTS ON JUNE 3, 2010

13. On or about June 3, 2010, law enforcement officers executed search warrants at 237 B.P. (FAA), and 809 E.N.A. (FAA), in Lompoc, California, and 725 K.A. (FAA), Solvang, California. All of these locations have been identified as being utilized by BYRD. During the searches, law enforcement officers found a large quantity of equipment utilized to cultivate marijuana including; "grow lights", irrigation systems, and other paraphernalia, along with a total of approximately \$23,039 in United States Currency. Also found were mailing labels from the USPS and FedEx. A total of approximately 98 suspected marijuana plants were seized along with approximately 12 pounds of suspected processed marijuana, almost all of which were at 237 B.P. (FAA), Lompoc, California. When entry was made at that location, BYRD and G.R. (unindicted co-conspirator-1 or "UCC-1) were present inside of the residence. A preliminary field test was conducted receiving a positive result for marijuana on the contraband seized at the residence. The statements of the defendant and G.R. (FAA) are summarized below.

14. Law enforcement officers interviewed G.R. (UCC-1) after advising him of his Constitutional Rights. G.R. (UCC-1) stated that he lived at 8127 W.C. (FAA), Springfield, Virginia, the same address as on Federal Express package seized on April 7, 2010. G.R. (UCC-1) admitted that he had sent the package containing the money and it was payment for marijuana that BYRD had shipped to Virginia. G.R. (UCC-1) stated that on previous occasions, he had

sent money to BYRD and received multiple pounds of marijuana at various addresses in Virginia.

15. Law enforcement officers interviewed BYRD after advising him of his Constitutional Rights. BYRD stated that he lived at 237 B.P. (FAA), Lompoc, California and was not currently employed. BYRD stated that he currently was paying rent at all three residences where search warrants were executed and that his monthly expenses are approximately \$7,925. He stated he paid for these expenses with proceeds from the marijuana he was mailing to Virginia.

16. Law enforcement officers conducted a review of the mailing labels seized from the BYRD residences which showed the following names and addresses:

California Addresses

CS. (FNA)	832 N.A. (FAA)	Lompoc, California
C.M. (FNA)	1240 H.A. (FAA)	Goleta, California
C.M. (FNA)	1412 H.A. (FAA)	Goleta, California
R.D. (FNA)	1612 N.H.S (FAA)	Lompoc, California
J.A. (FNA)	1420 W.S. (FAA)	Lompoc, California
R.R. (FNA)	725 K.A. (FAA)	Solvang, California
R&D Designs	1412 L.A. (FAA)	Santa Barbara, California

Virginia Addresses

S.J. (FNA)	519 S.L.S. (FAA)	Arlington, Virginia
J.S. (FNA)	519 S.L.S. (FAA)	Arlington, Virginia
C.H. (FNA)	519 S.L.S. (FAA)	Arlington, Virginia
J.S. (FNA)	519 S.L.S. (FAA)	Arlington, Virginia

E.S. (FNA)	5818 E.C. #152 (FAA)	Alexandria, Virginia
R.W. (FNA)	8082 G.C. (FAA)	Springfield, Virginia
M.S. (FNA)	12435 A.K.C. (FAA)	Woodbridge, Virginia
J.S. (FNA)	1407 B.A. #8 (FAA)	Woodbridge, Virginia

An additional United States Postal Service Express Mail label dated June 2, 2010 was found addressed to R.W. (FNA), 8082 G.C. (FAA), Springfield, Virginia from J.A. (FNA), 1420 W.S. (FAA), Lompoc, California.

LAW ENFORCEMENT SEIZURE ON JUNE 4, 2010

17. On or about June 4, 2010, law enforcement officers intercepted the USPS package addressed to J.S. (FNA), 519 S.L.S (FAA), Arlington, Virginia from R&D Designs, 1412 L.A (FAA), Santa Barbara, California. The California address is used by BYRD. On June 4, 2010, following a positive indication by a law enforcement K-9 trained in the detection of illegal narcotics, a search warrant was obtained and executed on the package resulting in the seizure of approximately six (6) pounds of suspected marijuana. A preliminary field test was conducted receiving a positive result for marijuana.

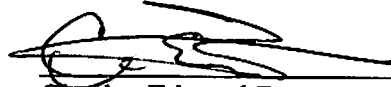
BUSINESS RECORDS OBTAINED FROM FEDEX AND USPS

18. Law enforcement obtained business records from FedEx and USPS for information regarding packages shipped from or to the addresses affiliated with the mailing labels seized from BYRD's residence (outlined in paragraph 16), as well as the packages seized from law enforcement (outlined in paragraphs 11,12, and 17). In reviewing the records obtained, it was found that between October 24, 2009 and May 24, 2010, approximately twenty-nine (29)

packages were mailed from Northern Virginia to either 725 K.A. (FAA), Lompoc, California or 237 B.P. (FAA), Lompoc, California. It was also found that between April 6, 2010 and June 2, 2010, approximately fourteen (14) packages were mailed from California to the known Northern Virginia addresses. Most, if not all of the mailing labels had characteristics consistent with the shipping of narcotics including next day delivery dates, waiver of signatures, false names and addresses, and cash payment for express services.

CONCLUSION

19. Based on the information provided in this affidavit, probable cause exists to believe that COURTNEY TIKO BYRD did unlawfully, knowingly, and intentionally conspire to distribute 100 kilograms or more of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.


Charles Edward Bane
Taskforce Officer, DEA

Sworn and subscribed to before me the 19th day of August 2010.

/s/
Ivan D. Davis
United States Magistrate Judge